

ITEM NO.9

Virtual Court 4

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No.6711/2020

(Arising out of impugned final judgment and order dated 25-07-2019 in SA No. 208/2019 passed by the High Court of Judicature at Allahabad, Lucknow Bench)

MIRZA QAISER BAIG

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH PRINCIPAL
SECRETARY DEPARTMENT OF MEDICAL EDUCATION
& ORS.

Respondent(s)

(With appln.(s) for interim relief, c/delay in filing SLP, exemption from filing c/c of the impugned judgment and exemption from filing O.T.)

Date : 11-06-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr. Amit Anand Tiwari, Adv.
Ms. Shakun Sharma, AOR
Ms. Mary Mitzy, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 Delay condoned.
- 2 Since the Special Leave Petition arose out of an order upholding the transfer of the petitioner, who is an

Associate Professor of Radiotherapy, from the Medical College at Gorakhpur to Jhansi, we are not inclined consistent with the parameters of judicial review to entertain the Special Leave Petition under Article 136 of the Constitution. The Special Leave Petition is dismissed.

- 3 Mr. Amit Anand Tiwari, learned counsel appearing on behalf of the petitioner states that the grievance is that the services of the petitioner who has a specialization in oncology, cannot be gainfully used in the present establishment at Jhansi. Learned Counsel states that the Petitioner is advised to submit a representation to the competent authority for posting at a place where a facility commensurate with his specialization exists so that his services can be utilized in an appropriate manner.
- 4 We leave it open to the petitioner to submit a representation for consideration before the appropriate authority in terms as stated before this Court.
- 5 Pending application(s), if any, stand disposed of.

(Chetan Kumar)
A.R. -cum-P.S.

(Saroj Kumari Gaur)
Court Master